

EBRD

Project Complaint Mechanism

Annual Report 2015

Report of the
Project Complaint Mechanism Officer



European Bank
for Reconstruction and Development

PCM is an independent review mechanism and this Annual Report does not reflect the views of EBRD management

CONTENTS

- I. THE YEAR'S HIGHLIGHTS
- II. PCM PROCESS AND STRUCTURE
- III. COMPLAINTS
- IV. OUTREACH

ANNEXES

- 1. 2015 Reports
- 2. Publications
- 3. Resources
- 4. 2015 Budget
- 5. PCM Officer
- 6. PCM Experts

I. THE YEAR'S HIGHLIGHTS

2015 was a year of change for the EBRD's Project Complaint Mechanism (PCM). A new PCM Officer began a five-year term in late June, and the standing roster of PCM Experts was increased from two to seven. The PCM Experts possess a wealth of experience in areas such as environmental law, sustainable development, human rights, international law and mediation. The PCM Experts' annual training was held in London in April 2015, during which the Experts had an opportunity to enhance their understanding of the Bank's policies and operations, and exchange views on conducting their casework. The addition of more PCM Experts to the roster has enabled improved processing times of Eligibility Assessments and Compliance Reviews.¹ A total of 17 Eligibility Assessment, Compliance Review and Monitoring Reports were produced over the course of the year.

Since November 2014, PCM has been operating under a revised set of PCM Rules of Procedure. In 2013-2014, a comprehensive evaluation of the PCM Rules was undertaken with a view to making the mechanism more efficient and accessible. The revised PCM Rules were approved by the EBRD Board of Directors and came into force on 7 November 2014. Two Complaints received at the end of 2014 were the first to be processed under the new Rules.

In 2015, PCM registered three new Complaints, raising environmental and social issues relating to the Bank's appraisal process, labour, community health and safety, and stakeholder engagement and communication. Progress was made on over 10 Complaints at different stages of the PCM process, including the Eligibility Assessment and Compliance Review stages.

Five Complaints registered in 2013 and 2014 were closed in 2015. Two Complaints were closed following the Eligibility Assessment stage, where they were found ineligible for further processing. One Complaint was closed after a Compliance Review, which found no instances of non-compliance. Findings of non-compliance were reached by an *ad hoc* PCM Expert in respect of two Complaints, which were reviewed in the same Compliance Review process that was finalised in 2015. A Management Action Plan was approved to address the recommendations contained in the Compliance Review Report. PCM will monitor the implementation of the Management Action Plan and issue Compliance Review Monitoring Reports beginning in 2016.

Compliance Review Monitoring Reports were issued for three Complaints relating to hydro power plant (HPP) Projects, for which processing was completed at the end of 2013.

PCM engaged in several outreach activities during the year, including two workshops with civil society organisations in Istanbul and Zagreb, hosted jointly with independent accountability mechanisms of other international financial institutions.

This Annual Report is prepared pursuant to the PCM Rules of Procedure and describes the activities of the PCM during 2015. Details of Complaints, case-related reports, Annual Reports and other publications are available on the [PCM website](#).

¹ Unless otherwise specified, capitalised terms used herein refer to those as defined in the PCM Rules of Procedure.

II. PCM PROCESS AND STRUCTURE

What is the Project Complaint Mechanism (PCM)? The PCM is the accountability mechanism of the EBRD. It provides an opportunity for an independent review of Complaints from one or more individual(s) or organisation(s) concerning a Bank Project that is alleged to have caused, or is likely to cause, harm.

PCM Rules of Procedure: The PCM process is governed by the PCM Rules of Procedure, which set out who may file a Complaint, how a Complaint should be filed, on what basis a Complaint will be found eligible and, if found eligible, how it will be processed by the PCM (i.e. Compliance Review, Problem-solving Initiative, or both). The PCM Rules also describe requirements relating to timelines, reporting, disclosure of and access to information, training, outreach, and other issues relevant to the administration of PCM. The current PCM Rules came into force in November 2014.

Functions of the PCM: PCM can address Complaints through two functions: Compliance Review, which seeks to determine whether or not the EBRD has complied with its Environmental and Social Policy and/or the project-specific provisions of the Public Information Policy; and Problem-solving, which has the objective of restoring a dialogue between the Complainant and the Client to resolve the issue(s) underlying a Complaint without attributing blame or fault. *Figure 1* below outlines the PCM process pursuant to the PCM Rules of Procedure.

PCM Officer: The PCM Officer² is responsible for the day-to-day administration of the PCM, including outreach and training; maintenance of the PCM website and Register; Registration of Complaints; serving as a co-Eligibility Assessor; selection of PCM Experts to determine eligibility; conduct of Compliance Reviews and/or Problem-solving Initiatives; monitoring and reporting on the implementation of follow-up activities; reporting to the President and the Board on an annual basis and on such other occasions as may be necessary; and communications with local communities, civil society organisations and other accountability mechanisms. The PCM Officer is supported by a staff of two and is provided with budgetary resources, in accordance with the PCM Rules of Procedure.³

PCM Experts: PCM Experts⁴ are responsible for serving as co-Eligibility Assessors, Compliance Review Experts or Problem-solving Experts. PCM Experts may be responsible, on delegation by the PCM Officer, for any follow-up monitoring and reporting. PCM Experts operate externally to the Bank, and are international professionals who specialise in areas such as environmental law, sustainable development and mediation. A total of seven PCM Experts are on a standing roster. Each year, the PCM Experts meet with PCM and other Bank staff at the EBRD headquarters in London for purposes of training and to share experiences.

Chief Compliance Officer (CCO): In support of the PCM's objective of providing independent review of Complaints concerning Bank Projects, the role of the CCO, as the head of the Office in which the PCM is located, is limited to ensuring that the PCM Officer carries out the PCM functions and administrative responsibilities according to the PCM Rules of Procedure.

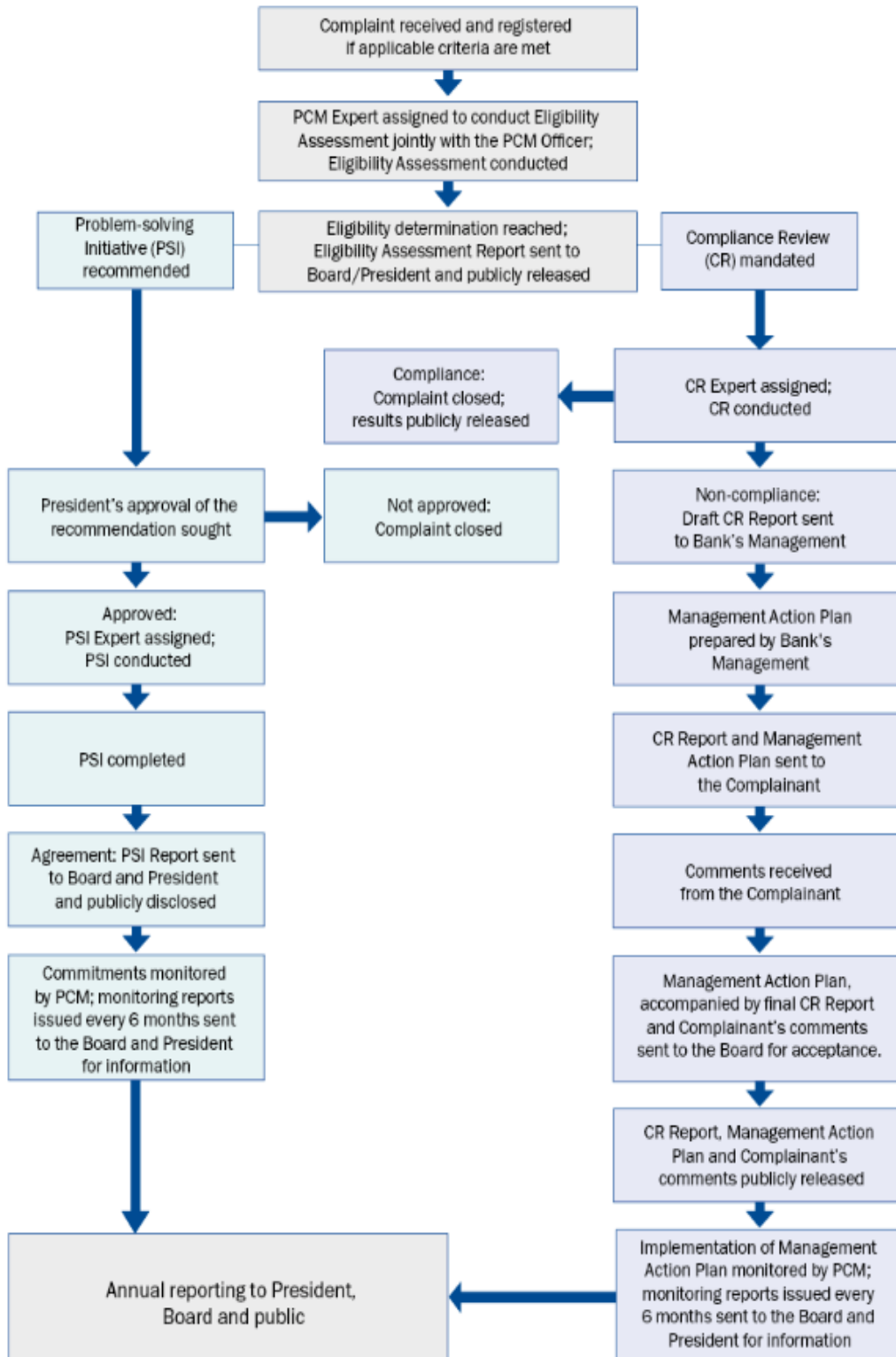
² See Annex 5 for the biography of the current PCM Officer.

³ See Annex 4 for information about the PCM's budget.

⁴ See Annex 6 for the biographies of the PCM Experts currently on the PCM's standing roster.

Figure 1 PCM process

What happens after a Complaint has been received?



III. COMPLAINTS

Overview

PCM receives and processes Complaints in accordance with the PCM Rules of Procedure. There are three main stages of Complaint processing – Registration, Eligibility Assessment, and Problem-solving and/or Compliance Review. Each of these stages is discussed in more detail below.

In 2015, the PCM registered three Complaints and continued processing 12⁵ Complaints through various stages of the PCM process (see *figure 2*, below). (Note that the data provided in the above figure records where Complaints have moved through multiple stages of the process over the course of the year – for example, a Complaint for which the Eligibility Assessment was completed and the Compliance Review begun, is counted in both the Eligibility Assessment and Compliance Review categories.)

Figure 2

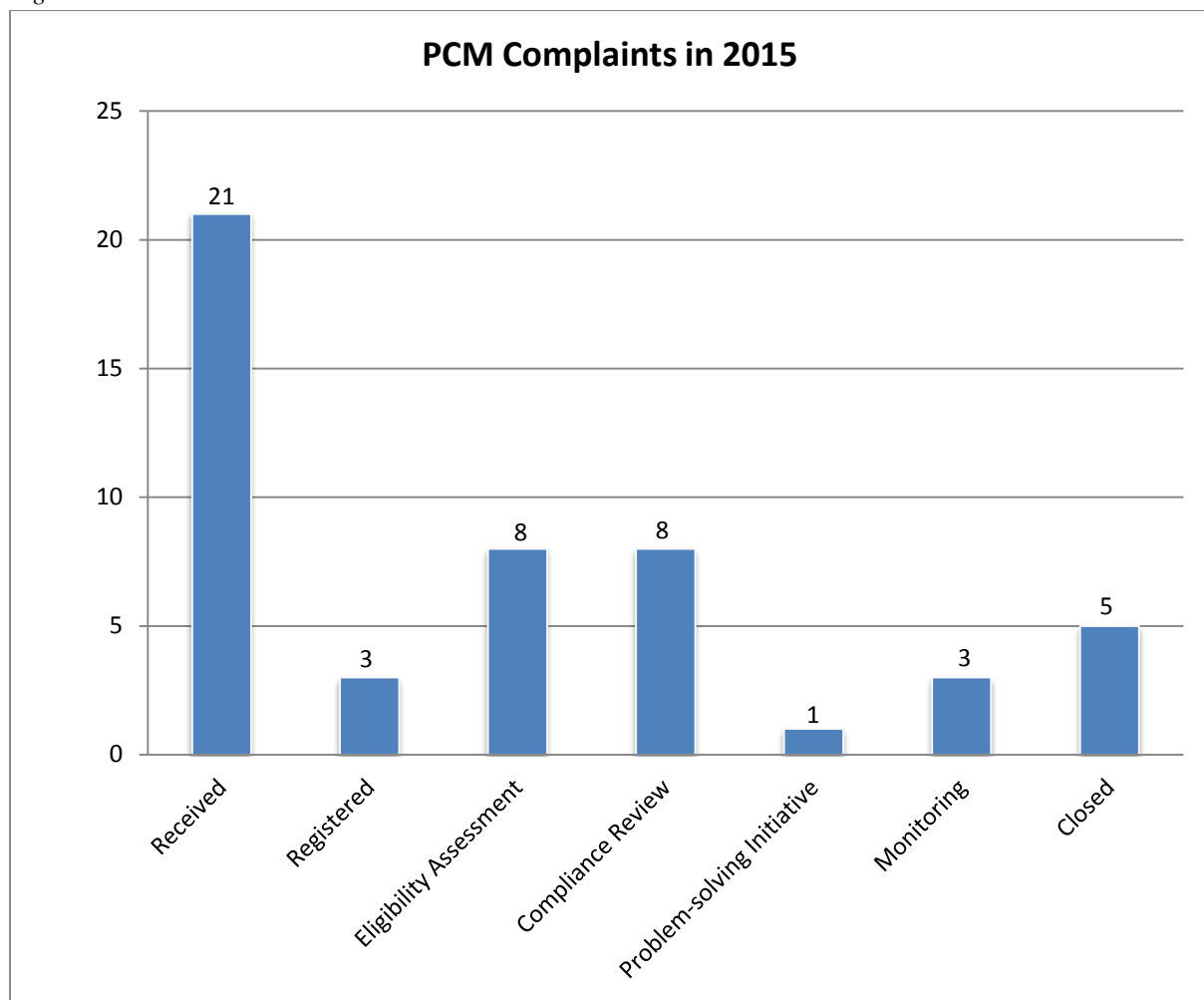


Figure 3, below, shows the total number of Complaints received since the PCM was established in 2010. A total of 23 Complaints have been registered out of a total number of 95

⁵ One Complaint that pertained to two Bank-financed Projects has been split into two for the purposes of the Compliance Review. Refer to footnote 8 on page 11.

received, indicating that nearly 25% of Complaints received met the Registration criteria and were registered pursuant to the PCM Rules of Procedure.

Figure 3

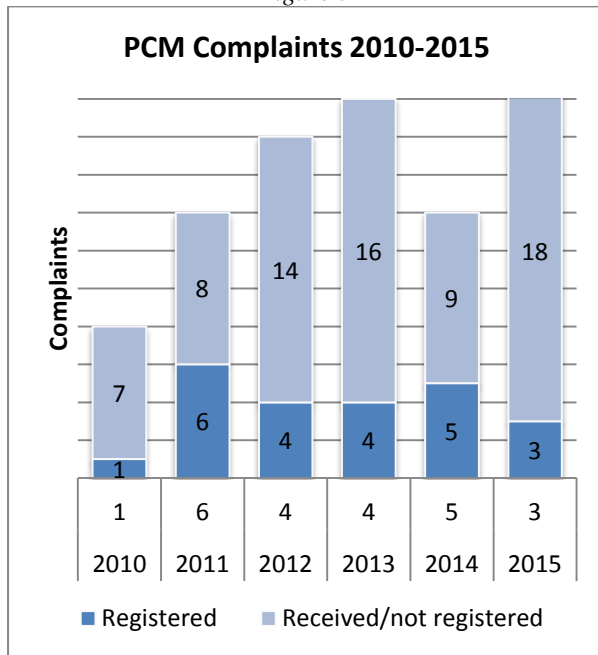
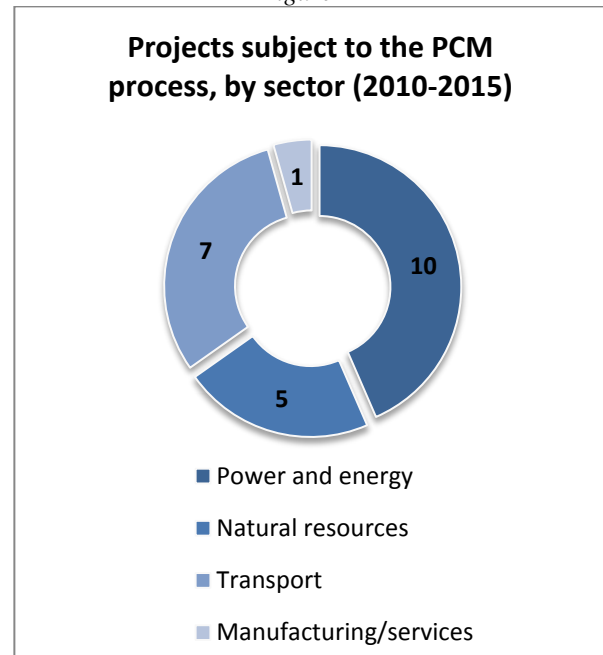


Figure 4



The total number of registered Complaints by Bank sector is indicated in *Figure 4*, above. Power and energy continues to be the sector for which the greatest number of PCM Complaints have been registered. 2015 marked the first year a Complaint was received on a Project in the manufacturing and services sector.

Figure 5 on page 16 provides a snapshot of Complaints under processing with PCM in 2015.

PCM Complaints processed in 2015

A list of all Complaints-related reports issued in 2015 is contained in Annex 1 to this Annual Report.

Complaints Received

Following receipt of a Complaint, the PCM Officer will decide within 10 Business Days whether it meets the criteria for Registration (discussed below).

Of 21 Complaints received by PCM in 2015, three were registered and 18 did not satisfy the Registration criteria. Of these 18, nine were not registered because they related to matters outside the purview of PCM, in particular procurement. These Complaints were forwarded to the appropriate department of the Bank for consideration.

The other nine Complaints received in 2015, but not registered, were suspended. Under the PCM Rules of Procedure, a Complaint may be suspended for further processing by PCM in cases where the Complainant did not make previous attempts to raise their concerns with the EBRD and/or Client (this requirement can be waived by the PCM Officer, if such efforts to would be harmful to the Complainant or futile). In suspending a Complaint to allow the Bank and/or Client reasonable time to consider and, if possible, address the concerns of the

Complainant, it is anticipated that effective resolution might be achieved in a manner that is more timely than that of a PCM process. While a Complaint remains suspended, PCM maintains contact with the Complainant and Bank staff to monitor whether any progress towards resolution of the issues raised in the Complaint is made. A Complainant may request that the PCM continue processing of their Complaint, for example if insufficient progress has been made towards resolution, after a reasonable amount of time has passed.

Over the course of the year, two suspended Complaints were closed as no further action was sought. Seven Complaints remain suspended at the end of 2015.

Complaints Registered

The PCM Officer will register a Complaint if the Complaint includes information about the identity and means of contact of the Complainant and Authorised Representative (if any); the Complaint includes the name or a description of a Project, and describes the harm or potential harm the Project has caused or is likely to cause; and if the named Project meets certain timing requirements within the Bank's financing cycle.⁶

The three Complaints registered in 2015 raised issues such as due diligence, labour, community safety and security, and stakeholder engagement, under the Bank's 2008 Environmental and Social Policy. Further details of each of the three Complaints are below.

⁶ Where Problem-solving has been requested, the Project must be subject to a clear indication that the Bank is interested in financing the Project, or where the Bank maintains a financial interest; and, where Compliance Review has been requested, the Project must be subject to approval for financing by the Board of Directors (or delegated authority).

Türk Traktör Turkey/Manufacturing and services/Project number 44173

Relevant EBRD Policy: 2008 Environmental and Social Policy

Category: B

EBRD finance: €30 million

Client: Türk Traktör

PCM review stage at the end of 2015: Eligibility Assessment completed

On 2 September 2015, PCM received a Complaint entitled Workers Rights Violations in Türk Traktör ve Ziraat Makinalari A.S. The Complaint was submitted by Birleşik-İş Metal İşçileri Sendikası (United Metalworkers' Union) on behalf of Project-impacted workers. In the Complaint, a Problem-solving Initiative is requested to “find a proper solution to [the] problem, end workers’ suffering, and establish the basic conditions of freedom of association in Türk Traktör.” A Compliance Review is requested if a Problem-solving Initiative is not possible.

Türk Traktör had been provided financing of up to €75 million (€30 million from EBRD and €45 million syndicated to other lenders) for the construction of a new tractor plant in Sakarya province, and investments in research and development (the Project). On 22 October 2014, EBRD signed an additional loan of up to €20 million for additional building and infrastructure investments related to the Project.

The Complaint alleges, *inter alia*, that Türk Traktör is in violation of the workers’ right to organize, compelling them to join and stay in Turk Metal Union; that in the context of a work stoppage in support of strikes across several carmakers in May 2015, Türk Traktör dismissed a number of workers without justification; and that, as a result of limitations on their ability to take action to improve wage and working conditions, workers’ health and safety are compromised.

The Complaint contends that EBRD failed to ensure that Türk Traktör complied with Performance Requirement 2 contained in the 2008 Environmental and Social Policy, which states: “The client will not discourage workers from joining workers’ organisations of their choosing or from bargaining collectively. The client will not discriminate or retaliate against workers who act as representative, participate, or seek to participate, in such organisations or bargain collectively.” The Complaint cites specific references in Performance Requirement 2 to ILO Conventions 87 (Freedom of Association) and 98 (Right to Collective Bargaining).

On 11 September 2015, the Complaint was registered and publicly disclosed in accordance with the PCM Rules of Procedure. PCM Expert Albab Akanda was assigned as an Eligibility Assessor to conduct an Eligibility Assessment jointly with the PCM Officer in accordance with the PCM Rules of Procedure.

The Eligibility Assessors reviewed the Complaint and supplementary documentation as well as the written responses of Bank Management and the Client. In considering all available information, the Eligibility Assessors determined that the Complaint was not eligible for a Problem-solving Initiative but was eligible for a Compliance Review. The Eligibility Assessment was completed in December 2015. The Compliance Review will commence in early 2016.

IPP4 Al Manakher Power Jordan/Power and energy/Project number 44284

Relevant EBRD Policy: 2008 Environmental and Social Policy

Category: A

EBRD finance: US\$100 million

Client: AES Levant Holdings B.V/ Jordan

PCM review stage at the end of 2015: Eligibility Assessment completed

PCM received a Complaint regarding the EBRD's IPP4 Al Manakher Power Project in Jordan on 3 August 2015. The Complaint was submitted by Jordanian non-governmental organisation East Amman Society for Environmental Protection, on behalf of impacted individuals resident near the IPP4 site. The Complainants sought a Problem-solving Initiative and a Compliance Review regarding allegations of non-compliance with the 2008 Environmental and Social Policy.

The issues raised in the Complaint include inadequate stakeholder engagement in the environmental and social impact assessment process, inadequate monitoring, failures in respect of implementation of environmental and social mitigation measures, inadequate grievance mechanisms, failure to meet requirements in relation to indigenous peoples and resettlement, inadequate waste management and disposal arrangements, inadequate community involvement in monitoring and testing and in plant emergency preparedness and response processes, failure to employ local community members in the plant, failure to give preferential treatment to contractors from local affected communities, and inadequate support for community development.

The IPP4 power plant is located near Al Manakher village, about 14 km East of Amman. It is a 240 MW peaking power plant for the supply of electricity to Jordan's National Transmission System to help meet temporary demands to maintain the stability of the System. The facility is owned by AES Levant Holdings B.V/ Jordan, the Bank's Client, which is ultimately owned 60% by AES Corporation of the US and Mitsui and Co. Ltd of Japan. As part of the financing for the project, US\$270 million of debt was provided to the Client on a senior, non-recourse basis by EBRD (US\$100 million) and US Overseas Private Investment Corporation (OPIC) (US\$170 million).

EBRD's Board of Directors approved financing for the Project on 3 October 2012. Financial close was achieved at the end of January 2013. Construction began later in 2013, and the power plant began commercial operations in July 2014.

On 11 August 2015 the Complaint to PCM was registered and publicly disclosed pursuant to the PCM Rules of Procedure. PCM Expert Halina Ward was assigned as an Eligibility Assessor to conduct an Eligibility Assessment jointly with the PCM Officer, in accordance with the PCM Rules.

The Eligibility Assessors reviewed the Complaint, the written response of the Bank's Management and the written response of the Client. They also held telephone and in person meetings with the Complainant, Client and Bank staff. Based on the available information, the Eligibility Assessors determined that, in accordance with the PCM Rules, the Complaint did not satisfy the eligibility criteria for a Problem-solving Initiative, and satisfied the eligibility criteria for a Compliance Review. The Eligibility Assessment was concluded at the end of 2015, and the Compliance Review will commence in early 2016.

Altain Khuder - Debt and Equity Mongolia/Natural resources/Project numbers 39581 and 43804, debt and equity respectively

Relevant EBRD Policy: 2008 Environmental and Social Policy

Category: B

EBRD finance: US\$30 million for balance sheet restructuring; US\$12.245 million equity investment

Client: Altain Khuder LLC

PCM review stage at the end of 2015: Compliance Review ongoing

On 30 December 2014, PCM received a Complaint regarding the Altain Khuder's Tayan Nuur iron ore mine in Tseel soum, Mongolia. The Complaint was presented by Mongolian non-governmental organization OT Watch and seven residents of Tseel soum. The Complaint is supported by CEE Bankwatch Network in the Czech Republic and the Centre for Research on Multinational Corporations (SOMO) in The Netherlands. The Complainants requested a Problem-solving Initiative and a Compliance Review.

The Complaint alleges multiple violations of the Performance Requirements set out in the Bank's 2008 Environmental and Social Policy, resulting from adverse social and environmental impacts. In broad terms, the Complaint alleges inadequate compensation for involuntary resettlement, dust pollution and animal and human health impacts, water depletion and contamination, and inadequate stakeholder engagement.

The Tayan Nuur iron ore mine is located in Tseel soum, Gobi Altai aimag, Mongolia. The mine is located 168km from the Mongolian-Chinese Burgastai post and approximately 800km from the target markets in Xinjiang, Gansu and Inner Mongolia in the People's Republic of China. One hundred percent of the ore produced at the Tayan Nuur mine is intended for export to China. The mine is operated by Altain Khuder LLC, a Mongolian company established in November 2006. Mining operations commenced in July 2008. The expected life of the mine is twelve years.

EBRD financing of the mine consists of a loan of US\$30 million for balance sheet restructuring and an equity investment in the amount of US\$12.245 million. The Project consists of the development of the Tayan Nuur mine through the purchase of mining equipment, balance sheet restructuring and the provision of working capital. The total projected financing for the mine was US\$100 million. The Project was assigned Category B under the EBRD's Environmental and Social Policy.

On 15 January 2015 the Complaint was registered and disclosed publicly pursuant to the PCM Rules of Procedure. PCM Expert Neil Popović was assigned as an Eligibility Assessor to conduct an Eligibility Assessment jointly with the PCM Officer, in accordance with the PCM Rules. The Eligibility Assessment was concluded in August 2015. After considering the Complaint and written responses of the Bank's Management and Client, the Eligibility Assessors determined that the Complaint was ineligible for a Problem-solving Initiative and eligible for a Compliance Review.

On 28 August 2015 PCM Expert Albab Akanda was assigned to conduct the Compliance Review. The Compliance Review is ongoing.

Complaints under Eligibility Assessment

After a Complaint has been registered, the PCM Officer assigns a PCM Expert to conduct the Eligibility Assessment jointly with the PCM Officer. The Eligibility Assessment is not intended to judge the merits of the allegations in the Complaint, or to make a judgement regarding the truthfulness or correctness of the Complaint; rather, the objective is to ascertain whether, based on the information available, the Complaint satisfies the eligibility criteria outlined in the PCM Rules of Procedure. The criteria include the following:

- For a Problem-solving Initiative, the Eligibility Assessors determine that the Complaint has been brought by one or more Project-impacted individuals, and that a Problem-solving Initiative may assist in resolving the dispute, or is likely to have a positive result;
- For a Compliance Review, the Eligibility Assessors consider whether the Complaint relates to actions or inactions that are the responsibility of the Bank, more than a technical violation of a Relevant EBRD Policy, and/or a failure of the Bank to monitor Client commitments pursuant to a Relevant EBRD Policy.

Eight Eligibility Assessments (in whole or in part) were concluded in 2015, relating to the following Bank Projects:

- **DIF-Lybian (Amulsar Gold Mine)** (two Complaints) Armenia/Natural resources/Project number 42182
- **Dariali HPP** Georgia/Power and energy/45542
- **Altain Khuder - Debt and Equity** Mongolia/Natural resources/39581 and 43804
- **Oyu Tolgoi** (reporting on eligibility for a Problem-solving Initiative) Mongolia/Natural resources/41158
- **South-West Corridor Road** (separate reporting on eligibility for a Problem-solving Initiative and a Compliance Review) Kazakhstan/Transport/39258
- **Türk Traktör** Turkey/Manufacturing and services/44173
- **IPP4 Al Manakher Power Project** Jordan/Power and energy/44284.

The Assessments in Dariali HPP, Altain Khuder, South-West Corridor Road, Türk Traktör and IPP4 Al Manakher Power led to a determination of eligibility for Compliance Review. A Problem-solving Initiative was also recommended, and the approval of the President was obtained in accordance with the PCM Rules of Procedure, in the Complaint regarding South-West Corridor Road. In respect of the DIF Lybian and Oyu Tolgoi (Problem-solving Initiative) Projects, the Eligibility Assessment concluded that the Complaints were not eligible for further processing by PCM.

Complaints under Compliance Review

If an Eligibility Assessment concludes that a Complaint satisfies the eligibility requirements to initiate a Compliance Review, the PCM Officer appoints a PCM Expert (who was not an Eligibility Assessor) to conduct a Compliance Review, based on the Terms of Reference outlined in the Eligibility Assessment Report.

The objective of a Compliance Review is to establish if (and if so, how and why), any EBRD action, or failure to act, in respect of a Project has resulted in non-compliance with a Relevant EBRD Policy, and, if in the affirmative, to recommend remedial changes. Such changes may include recommendations to address findings of non-compliance at the level of EBRD systems or procedures, and/or address findings of non-compliance in the scope or implementation of the Project, and monitor and report on the implementation of any recommended changes.

Eight Complaints were under Compliance Review during the year, relating to the following Bank Projects.⁷

- **Dariali HPP** Georgia/Power and energy/Project number 45542
- **Altain Khuder - Debt and Equity** Mongolia/Natural resources/39581 and 43804
- **South-West Corridor Road** Kazakhstan/Transport/39258
- **EPS Power II** Serbia/ Power and energy/27005
- **EPS Emergency Power Sector Reconstruction Loan, and EPS Kolubara Environmental Improvement** (2 Complaints) Serbia/Power and energy/17829, 27005 and 41923, respectively
- **Energy Resources II** Mongolia/Natural resources/39957 and **Oyu Tolgoi** Mongolia/Natural resources/41158.⁸

Compliance Review work on the Complaints relating to the Dariali HPP, Altain Khuder and South-West Corridor Road Projects began once the Eligibility Assessments for the Complaints were completed during 2015. The Compliance Reviews relating to the Energy Resources II and Oyu Tolgoi Projects are ongoing. The Complaint relating only to EPS Power II was concluded with no findings of non-compliance. The two Complaints regarding the EPS Emergency Power Sector Reconstruction Loan, EPS Power II and EPS Kolubara Environmental Improvement Projects led to a determination of non-compliance, for which the Bank's Management was required to prepare a Management Action Plan for acceptance by the EBRD's Board of Directors. More details on the Complaints are below.

⁷ The Complaints relating to the Dariali HPP, Altain Khuder and South-West Corridor Road Projects are processed under the 2014 PCM Rules of Procedure. The others are processed under the 2009 iteration of the Rules.

⁸ Oyu Tolgoi and Energy Resources II were received as one Complaint. For the purposes of the Compliance Review they have been divided into two, by Project.

EPS Emergency Power Sector Reconstruction Loan, EPS Power II and EPS Kolubara Environmental Improvement Projects (2 Complaints) Serbia/Power and energy/Project numbers 17829, 27005 and 41923, respectively

Relevant EBRD Policy: 2008 Environmental and Social Policy

Category: A

EBRD finance: €176,000,000 (total financing relating to all three Projects)

Client: Public Enterprise Elektroprivreda Srbije (EPS)

PCM review stage at the end of 2015: Monitoring

In 2012 and 2013, two substantively similar Complaints were received by PCM regarding the activities of Serbia's state-owned electricity Company, Public Enterprise Elektroprivreda Srbije (EPS) in the Kolubara mining basin. The Ecological Society of Vreoci and the Council of Mesna Zajenica Vreoci were party to the first Complaint, and Mr Zvezdan Kalmar and Ms Natasa Djereg, representatives of the Centre for Ecology and Sustainable Development (CEKOR), Serbian Coordinators for the CEE Bankwatch Network, were party to the second.

The Complaints concern the Kolubara Environmental Improvement Project, for which EBRD approved financing on 26 July 2011. The Project consists of a substantial investment in EPS' lignite basin, comprising installation of a coal management system to analyse quality of the excavated coal; installation of a spreader system in the Tamnava West field to allow for separation and handling of the mined lignite; and consultancy support for procurement and implementation. The Project was said to be initiated by EPS to improve the commercial and environmental performance of its existing operations and in preparation of the Kolubara B project (and potentially the Nikola Tesla IPP). The Project was assigned Category A, and assessed and structured in accordance with the Bank's 2008 Environmental and Social Policy.

In their respective Complaints, the Complainants make a number of allegations of non-compliance with the Environmental and Social Policy on the part of EBRD, in particular in its assessment and due diligence of the proposed financing. The main assertions are summarised as follows:

1. EBRD failed to properly define the "area of influence" and the scope of its due diligence appropriately for the Project.
2. EBRD due diligence therefore excluded the village of Vreoci from its stakeholder engagement and the application of the Performance Requirements under the 2008 Environmental and Social Policy.
3. EBRD did not appropriately apply the requirements of its Environmental and Social Policy and its GHG Assessment methodology in the analysis of the Greenhouse Gas Emissions related to the Project.
4. EBRD should have undertaken a "strategic assessment" of the Kolubara basin due to its national significance and the number of EBRD's investments in it.

An Eligibility Assessment was conducted for each Complaint, and both were found eligible for a Compliance Review. In accordance with the PCM Rules of Procedure, the Complaints were joined for the purposes of Compliance Review. Mr Glen Armstrong undertook an *ad hoc* appointment to carry out the Compliance Review.

The Compliance Review consisted of a review of documentation, meetings with the Complainants, Bank staff and Client, and a site visit to Lazaverac and Vreoci in October of 2013. The PCM Expert concluded that:

- EBRD inappropriately set the boundaries of the Project area of influence and its own due diligence based on the business activities being financed.
- EBRD did not effectively consider the capacity and commitment of the Client in scoping its due diligence and conditionality associated with the Project as required by the Environmental and Social Policy.
- The resettlement of the village of Vreoci and impacts upon the village should have been considered by EBRD in its due diligence.
- EBRD did not ensure that an assessment of GHG emissions consistent with its Policy and guidance was undertaken.
- A specific strategic assessment was not required for the Project, but because of the position of the Client and its relevance to the Serbian energy sector, this single investment was in itself “strategic” and the due diligence undertaken should have been framed to assess all of the relevant factors.

Accordingly, the Compliance Review Expert determined the following:

1. EBRD was non-compliant in its application of the Environmental and Social Policy general requirements and the requirements of Performance Requirement 1, in determining the scope of its environmental and social due diligence on the Project.
2. EBRD was non-compliant with the general commitments of the Environmental and Social Policy and Performance Requirements 1, 3, 5 and 10 with respect to its exclusion of Vreoci from its due diligence (and application of the Performance Requirements) on the Project.
3. EBRD was non-compliant with the general requirements of its Environmental and Social Policy and the specific requirements of Performance Requirement 3 with respect to the assessment of greenhouse gas emissions on the Project.
4. That whilst no new strategic assessment was necessary for Kolubara due to the existing strategic information available, EBRD should have been more strategic itself in how it applied that information to its due diligence on the Project and the conditionality and requirements therefore placed upon its client, reinforcing non-compliance finding (1) above.

The Compliance Review Expert made recommendations relating to the interpretation of the Environmental and Social Policy consistent with the shortfalls identified in the Compliance Review. In particular, recommendations were made to clarify certain aspects of the Policy, as well as underlying guidance and procedures. Recommendations were also made on how EBRD might bridge the gap between the due diligence it undertook for the Project, and the standard deemed necessary by the Compliance Review Expert.

Subsequent to the completion of the Compliance Review and preparation of the draft Compliance Review Report, the Bank's Management was requested to prepare a Management Action Plan, including a timetable and estimate of the human and financial resources required to implement the recommendations considered appropriate. The Complainants submitted comments on the Management Action Plan. The final Compliance Review Report and Complainants' comments were submitted for information to the EBRD's Board of Directors, along with the Management Action Plan, which was submitted to the Board for acceptance. The Board accepted the Management Action Plan on 26 October 2015. The Relevant Parties were subsequently informed, and the Compliance Review Report, Management Action Plan and Complainants' comments were publicly released thereafter.

The first biannual Compliance Review Monitoring Report is expected to be issued in April/May 2016.

Complaints at the Problem-solving stage

Should an Eligibility Assessment result in the Assessors' recommendation for a Problem-solving Initiative, the PCM Officer will convey the recommendation to the President and await the President's decision whether or not to accept such recommendation. The President's decision (and reasons for it) will be publicly disclosed.

If the President approves the recommendation to proceed with a Problem-solving Initiative, the PCM Officer appoints a PCM Expert to carry out problem-solving consistent with the Terms of Reference outlined in the Eligibility Assessment Report.

One Problem-solving Initiative was initiated in the latter part of 2015, relating to the Complaint in respect of the South-West Corridor Road Project. Preliminary work has been done to enhance the conditions for problem-solving, and efforts are ongoing.

Complaints under Monitoring

In accordance with the 2014 PCM Rules of Procedure, the PCM Officer monitors the implementation of Management Action Plans, subject to the timetable and estimate of human and financial resources outlined, and issues Compliance Review Monitoring Reports at least biannually or until the PCM Officer determines that monitoring is no longer needed.⁹

Management Action Plans are prepared by Bank Management following receipt of a Compliance Review Report containing findings of non-compliance and providing recommendations to address those findings. In preparing Compliance Review Monitoring Reports, the PCM Officer consults with the Relevant Parties. The Reports are submitted to the EBRD's President and Board of Directors for information, and then publicly released.

In 2015, the second and third Compliance Review Monitoring Reports were issued (in March and September, respectively) relating to the Complaints in respect of the **Boskov Most Hydro Power** FYR Macedonia/Power and energy/Project number 41979, **Ombla HPP** Croatia/Power and energy/42219 and **Paravani HPP** Georgia/Power and energy/38940 Projects.¹⁰ In each of the Compliance Reviews, findings of non-compliance related to Performance Requirement 6 of the 2008 Environmental and Social Policy.¹¹ In respect of Paravani HPP, a finding of non-compliance with Performance Requirements 1 and 10 was also determined. The Bank's Management has indicated progress in implementing the PCM Experts' recommendations, for example by including new and/or updated internal guidance, and the establishment of an Assurance Framework. Some aspects of the Management Action Plans are no longer being monitored and are considered closed, either because they have been satisfied or because they are no longer relevant.

PCM is monitoring implementation of the Management Action Plan relating to the Complaints in respect of EPS Emergency Power Sector Reconstruction Loan, EPS Power II and EPS Kolubara Environmental Improvement Projects (discussed above) and will issue Monitoring Reports beginning in 2016.

⁹ PCM also monitors the implementation of agreements reached during a Problem-solving Initiative.

¹⁰ The 2009 PCM Rules of Procedure apply to these Complaints, as they were received before 7 November 2014. They state the following: "The PCM Officer will monitor the implementation of the recommendations of the Compliance Review Report subject to the timetable and estimate of human and financial resources as set in the Management Action Plan. The PCM Officer will issue Compliance Review Monitoring Reports at least biannually or until the PCM Officer determines that the implementation issues are concluded...."

¹¹ For example, the Compliance Review Experts determined that the Bank's approval of each Project in advance of the completion of a conclusive biodiversity assessment amounted to non-compliance with the Performance Requirement 6.

Figure 5 PCM Complaints active in 2015

	Project name	Country	EBRD sector	Complainant(s)	PCM function requested	STATUS IN 2015
2015	<i>Türk Traktör</i>	Turkey	Manufacturing and services	DİSK - Birleşik Metal İşçileri Sendikası (United Metalworkers' Union)	Problem-solving Initiative (PSI) and Compliance Review (CR)	Eligibility Assessment completed – eligible for CR, ineligible for PSI
	<i>IPP4 Al-Manakher Power Project</i>	Jordan	Power and energy	East Amman Society for Environmental Protection (EASEP)	PSI and CR	Eligibility Assessment completed – eligible for CR, ineligible for PSI
	<i>Altain Khuder - Debt and Equity</i>	Mongolia	Natural resources	7 individuals affected by the Tayan Nuur iron ore mining project in Tseel soum, Mongolia	PSI and CR	Eligibility Assessment completed – eligible for CR, ineligible for PSI
	<i>Dariali HPP</i>	Georgia	Power and energy	Association “Green Alternative” and NGO “Stepanstminda”, Georgia	CR	CR in progress
2014	<i>South-West Corridor Road</i>	Kazakhstan	Transport	NGO “Blago”, Kazakhstan	PSI and CR	PSI and CR in progress
	<i>DIF - Lydian (Amulsar Gold Mine)</i>	Armenia	Natural resources	Residents of village Gndevaz, Armenia	CR	Eligibility Assessment completed – ineligible. Complaint closed
	<i>DIF - Lydian (Amulsar Gold Mine)</i>	Armenia	Natural resources	CSOs, Armenia: “EcoLur”, “EcoRight”, “Save Teghut”, “Pan-Armenian Environmental Front”, “Center for Jermuk Development”, “Center for Bird Lovers”, “Armenian Women for Health and Healthy Environment”	CR	
	<i>EPS Emergency Power Sector Reconstruction Loan</i>	Serbia	Power and energy	Gndevaz villager; Expert in environmental policy, Armenia	CR	Joined with the Complaint on <i>EPS Kolubara Environmental Improvement</i>
	<i>EPS Power II</i>					
<i>EPS Kolubara Environmental Improvement</i>						
2013	<i>EPS Power II</i>	Serbia	Power and energy	Center for Ecology and Sustainable Development (CEKOR), Serbia representing Milan Simic and Dragan Simic (members of project-affected community)	PSI and CR	CR completed – no instances of non-compliance found. Complaint closed
	<i>Energy Resources Phase II</i>	Mongolia	Natural resources	A group of nomadic herders, NGO “OT Watch” and NGO “Shuteen Gaviluut”, Mongolia	PSI and CR	CR in progress
	<i>Oyu Tolgoi</i>	Mongolia	Natural resources	A group of nomadic herders, NGO “OT Watch” and NGO “Shuteen Gaviluut”, Mongolia	PSI and CR	PSI: Eligibility Assessment completed - ineligible CR in progress
2012	<i>EPS Kolubara Environmental Improvement</i>	Serbia	Power and energy	Ecological Society “Vreoci” and the Council of the Local Community of Vreoci, Serbia	PSI and CR	CR completed – Management Action Plan prepared to address findings of non-compliance
	<i>Paravani HPP</i>	Georgia	Power and energy	Association “Green Alternative”, Georgia	CR	Monitoring in progress
2011	<i>Ombla HPP</i>	Croatia	Power and energy	Zelena akcija/Friends of the Earth, Croatia	CR	Monitoring in progress
	<i>Boskov Most Hydro Power</i>	FYR Macedonia	Power and energy	Centre for environmental research and information “Eko-svest”, FYR Macedonia	CR	Monitoring in progress

IV. PCM OUTREACH

The PCM continuously seeks to improve the accessibility of the EBRD's accountability mechanism to project-impacted individuals and communities as well as Civil Society Organisations (CSOs). PCM has created a number of publications to help Complainants and potential users of the mechanism understand how it works and what the possible value is to them, based on their circumstances. A list of PCM publications is available in Annex 2, and a list of useful resources in Annex 3.

Outreach events are important for promoting the accessibility of PCM. In 2015, PCM held numerous small-group meetings with CSOs, participated actively in the Civil Society Programme during the Bank's Annual Meetings, and hosted two CSO events jointly with Independent Accountability Mechanisms (IAMs) of other International Financial Institutions (IFIs). PCM also participated in a meeting with CSOs held on the margins of the annual meeting of the IAMs network.

Key themes emerging from conversations with CSOs include transparency and access to information about IFI-financed projects, and the role IAMs might play in closing the "information gap", improving the implementation and scope of IAMs' mandates, and addressing Project impacts in sectors in which CSOs are identifying systemic issues (e.g. hydropower projects).

- *Workshop – Istanbul, 12-13 May 2015*

PCM, along with the World Bank Group's Inspection Panel and CAO, the Complaints Mechanism of the European Investment Bank, and the Black Sea Trade and Development Bank's accountability mechanism hosted a regional outreach event on IAMs, in which over thirty representatives of CSOs participated from Turkey, Albania, Estonia, Hungary, Kazakhstan, Kosovo, Kyrgyz Republic, Latvia, the Netherlands, Russia, Serbia, Tajikistan and the United States. The two-day workshop was aimed at sharing information about IAMs; exchanging views with CSOs about their experiences; and listening to concerns as well as ideas about promoting accountability and redressing harm by submitting complaints.

The first day opened with an introduction and history of IAMs, followed by an overview of their commonalities and differences. The day continued with a presentation from each IAM on specific cases. CSOs shared their experiences engaging with some IAMs, in particular the challenges and opportunities presented in submitting complaints. The second day was primarily dedicated to learning, through mini-clinics, about each mechanism's procedures and case history. CSO representatives seized on the opportunity to ask focused questions to the IAMs present on procedural and substantive issues. The workshop closed with an interactive exercise for CSOs and IAMs to come together in understanding the challenges faced by communities seeking to raise concerns about development projects, and what the mechanisms can do to assist. Additionally, the workshop hosted a speaker, Mr. Fikret Toksöz, Program Coordinator of the Good Governance Program at the Turkish Economics and Social Studies Foundation (TESEV), who talked about accountability and grievance redress options available in the Turkish system.

- *Workshop – Zagreb, 2-3 July 2015*

A one and a half day workshop was hosted in Zagreb by the EIB's Complaints Mechanism, in cooperation with the World Bank Inspection Panel and the PCM. The aim of the workshop was to raise awareness about the participating IAMs (and accountability processes more generally), and to hear from CSO representatives about how to make these mechanisms more effective. Representatives of the IAMs each made a presentation on how their mechanism

operates and the impact of their work, referring to recent cases. CSOs shared their experiences with IAMs, and with the social and environmental issues they are concerned about. Overall, the event provided a key opportunity for an in-depth look at the role of IAMs in Croatia.

The network of IAMs in 2015

Each of the IFIs has a citizen-driven accountability mechanism, referred to as an Independent Accountability Mechanisms or IAM. Each IAM has a different mandate and scope of work. For example, unlike PCM, some mechanisms might deal with corruption or procurement issues. However, IAMs are similar in that they receive external complaints about their institutions' funded projects and are concerned with the environmental and social performance of their institutions.

The IAMs are loosely organised into a [network](#), bringing together dedicated international practitioners and experts in accountability, compliance and mediation, and corporate governance. The purpose of the network is to provide a platform for the exchange of knowledge and expertise, and to cooperate to enhance the effectiveness of the work of citizen-driven accountability mechanisms. Membership in the IAMs network is guided by a set of general principles, developed by its current member institutions.

The 12th annual meeting of the network of IAMs was held in Paris on 7-8 December 2015. As in previous years, representatives discussed a variety of topics. In particular, they discussed recent reviews of the procedures of some mechanisms, how IAMs might assess their effectiveness, and how they might address risks of reprisal to complainants. Participants also considered opportunities for collaboration to promote greater accessibility of the mechanisms to local communities and affected populations.

On the margins of the IAMs annual meeting, a full-day meeting was held which brought together IAMs with CSO representatives. Key topics discussed included the grievance/accountability policies of the specific Climate Change financial flows (e.g. the Green Climate Fund and the other UNFCCC funds), protecting complainants and whistleblowers (reference was made to a recent Human Rights Watch report entitled "At Your Own Risk: Reprisals against Critics of World Bank Group Projects"), and the performance of IAMs (reference was made to a CSO report entitled "Glass Half Full, the State of Accountability in Development Finance").

ANNEX 1: 2015 Reports

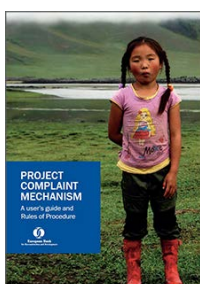
1. *Eligibility Assessment Report on DIF - Lydian (Amulsar Gold Mine) (1) (02/2015)*
2. *Eligibility Assessment Report on DIF - Lydian (Amulsar Gold Mine) (2) (02/2015)*
3. *Monitoring Report II on Boskov Most Hydro Power (03/2015)*
4. *Monitoring Report II on Ombla HPP (03/2015)*
5. *Monitoring Report II on Paravani HPP (03/2015)*
6. *Eligibility Assessment Report on Oyu Tolgoi for Problem-solving Initiative (07/2015)*
7. *Compliance Review Report on Emergency Power Sector Power II (08/2015)*
8. *Eligibility Assessment Report on Dariali HPP (08/2015)*
9. *Eligibility Assessment Report on Altain Khuder - Debt and Equity (08/2015)*
10. *Monitoring Report III on Boskov Most Hydro Power (09/2015)*
11. *Monitoring Report III on Ombla HPP (09/2015)*
12. *Monitoring Report III on Paravani HPP (09/2015)*
13. *Eligibility Assessment Report on South-West Corridor Road for Compliance Review (10/2015)*
14. *Eligibility Assessment Report on South-West Corridor Road for Problem-solving Initiative (10/2015)*
15. *Compliance Review Report on Emergency Power Sector-Kolubara cumulative (10/2015)*
16. *Eligibility Assessment Report on Türk Traktör (12/2015)*
17. *Eligibility Assessment Report on IPP4 Al-Manakher Power Project (01/2016)*

ANNEX 2: Publications

PCM provides a number of publications to increase awareness and understanding of the Complaint review process. These resources explain the PCM's functions and rules, and for prospective Complainants facilitate the submission process by offering step-by-step guidance.



The PCM Leaflet offers a quick overview of the PCM's functions, the type of issues it can consider and a checklist for submitting a Complaint. It has been translated into Arabic, English, French, Mongolian, Russian and Turkish and is available online.¹² The Leaflet is also being distributed in print in the EBRD's Residents Offices across the countries of operations.



The PCM User Guide and Rules of Procedure¹³ provides a more detailed explanation about the Complaint review process, timelines, reporting requirements, confidentiality provisions and other details of the different stages of the PCM process. In addition, the publication includes full text of the PCM RPs, as approved by the Board of Directors of the EBRD in May 2014. The publication is available in 14 languages.



PCM also offers a Guide for EBRD Clients,¹⁴ which explains their role in the Complaint review process, required input and collaboration and the effect of Complaints on projects. The publication is available in English and Russian.



The newest addition to the PCM resources is the online Complaint form.¹⁵ It was introduced to facilitate easy submission of Complaints for those with access to the internet.

¹² www.ebrd.com/work-with-us/project-finance/project-complaint-mechanism/about.html.

¹³ www.ebrd.com/news/publications/guides/pcm-user-guide.html.

¹⁴ www.ebrd.com/work-with-us/project-finance/project-complaint-mechanism/about.html.

¹⁵ The PCM online Complaint form is available in English and Russian – available at www.ebrd.com/eform/pcm/complaint_form?language=en (English); and www.ebrd.com/eform/pcm/complaint_form?language=ru (Russian).

ANNEX 3: Resources

Project Complaint Mechanism (PCM) Rules of Procedure

The PCM Rules of Procedure set out how a Complaint may be filed and how it will be processed. They also set out the requirements relating to timelines, reports, disclosure of and access to information, training, outreach and other issues relevant to the administration of the PCM. The current PCM Rules were approved by the EBRD Board of Directors in May 2014 and came into force on 7 November 2014.¹⁶ Complaints received before 7 November 2014 continue to be processed under the PCM RPs 2009.¹⁷

Environmental and Social Policy

The Environmental and Social Policy details the commitments of the Agreement Establishing the European Bank for Reconstruction and Development “to promote in the full range of its activities, environmentally sound and sustainable development” and guides the environmental and social appraisal, monitoring and stakeholder engagement in projects. The current *Environmental and Social Policy* was approved by the EBRD Board of Directors in May 2014 and came into force on 7 November 2014.¹⁸ It applies to EBRD projects that pass Concept Review on or after 7 November 2014. Previous iterations of the Environmental and Social Policy apply to earlier projects.

Bank-financed projects are expected to meet good international practice related to sustainable development. To help clients and/or their projects achieve this, the EBRD has defined specific performance requirements for key areas of environmental and social issues and impacts:

- 1: Assessment and Management of Environmental and Social Impacts and Issues
- 2: Labour and Working Conditions
- 3: Resource Efficiency and Pollution Prevention and Control
- 4: Health and Safety
- 5: Land Acquisition, Involuntary Resettlement and Economic Displacement
- 6: Biodiversity Conservation and Sustainable Management of Living Natural Resources
- 7: Indigenous Peoples
- 8: Cultural Heritage
- 9: Financial Intermediaries
- 10: Information Disclosure and Stakeholder Engagement

Public Information Policy

The Public Information Policy sets out how the EBRD discloses information and consults with its stakeholders so as to promote better awareness and understanding of its strategies, policies and operations. The current Policy was approved by the EBRD Board of Directors in May 2014 and came into force on 7 November 2014.¹⁹

¹⁶ The PCM Rules of Procedure are available in a selection of languages – see www.ebrd.com/work-with-us/project-finance/project-complaint-mechanism/about.html.

¹⁷ 2009 PCM Rules of Procedure – available at www.ebrd.com/downloads/integrity/pcmrules09.pdf.

¹⁸ 2014 Environmental and Social Policy, and previous iterations – available at www.ebrd.com/esp.

¹⁹ 2014 Public Information Policy – available at www.ebrd.com/pip.

ANNEX 4: 2015 Budget

The EBRD provides budgetary resources to the PCM sufficient to allow the activities permitted by the PCM Rules of Procedure to be carried out. The PCM Officer, in consultation with the Chief Compliance Officer, prepares the annual budget indicating the level of resources required for the forecasted activities of the PCM for the coming year and is responsible for determining the allocation of resources.²⁰

In 2015 the PCM expenditures were as follows:

Expenditure	Amount (GBP)
Complaint processing (including PCM Experts' fees, related travel and expenses, hospitality, etc.)	179 706
PCM Experts' annual training (including PCM Experts' fees, related travel and expenses, hospitality, etc.)	53 651
Outreach (included travel and expenses, hospitality, etc.)	12 025
Staff (approximate salary and benefits for PCM Officer, PCM Associate, part-time PCM Senior Officer)	185 400
Administrative (including publications, translation, photocopies, etc.)	13 612
TOTAL	444 394

²⁰ PCM Rules of Procedure, paragraph 68.

ANNEX 5: PCM Officer

The PCM Officer is responsible for the day-to-day administration of the PCM.

Ms Erica Bach joined the EBRD as PCM Officer in June 2015. Erica is a Canadian lawyer specialized in international human rights and justice. Previously, she held several positions with the Government of Canada, including that as Senior Advisor with the Office of the Extractive Sector Corporate Social Responsibility (CSR) Counsellor, designing and implementing a global mechanism to promote collaboration, dialogue and mediated resolution of disputes between Canadian mining, oil and gas international operators, and project-affected communities. Erica has worked for a variety of development, civil society and legal organizations in South-East Asia, Southern Africa and Canada. She holds an LL.M. from New York University, an LL.M. from the National University of Singapore, an LL.B. from Dalhousie University and a B.A. from Concordia University.

ANNEX 6: PCM Experts

The PCM Experts are responsible for serving as Eligibility Assessors, Compliance Review Experts or Problem-solving Experts, and may be responsible, on delegation by the PCM Officer, for any follow-up monitoring and reporting.



Mr Albab Akanda has degrees in history and sociology from Dhaka University, and graduate degrees in public administration from Northeastern University and in regional planning from Harvard University. His development career covers the World Bank, International Monetary Fund and Asian Development Bank. He has also collaborated in different capacities with the African Development Bank, Islamic Development Bank, the International Fund for Agricultural Development, and a number of bilateral and inter-governmental, as well as United Nations agencies. His areas of specialisation include project management, environmental impact assessment and social development, primarily in the transport, agriculture, and energy sectors.



Dr Owen McIntyre teaches Law at University College Cork and has extensive experience of environmental law, policy and regulation at the national, European Union and international levels. He chairs the IUCN-WCEL Specialist Group on Water and Wetlands and sits on the Scientific Committee of the European Environment Agency. He publishes extensively in all areas of environmental and natural resources law and is a recognised authority on international water law. He has worked in several of the EBRD's countries of operations and is a member of a number of high-level advisory boards. He was appointed as an Expert for the EBRD's Independent Recourse Mechanism from 2004 to 2009.



Dr Neil Popovic is a lawyer. He is currently a partner at Sheppard Mullin Richter and Hampton, where he chairs the law firm's International Arbitration Practice. He also serves as a lecturer at the University of California, Berkeley School of Law, where he teaches International Environmental Law and International Litigation and Arbitration. Dr Popovic has extensive experience of working on issues of human rights and environment, including impacts of large-scale infrastructure and development projects funded by IFIs. He has 27 years of professional experience, including law practice, writing, teaching and advocating for human rights and environmental protection.



Dr Maartje van Putten has extensive experience of working with accountability mechanisms of multilateral development banks, including World Bank Inspection Panel, African Development Bank Independent Review Mechanism and as an independent reviewer of the Asian Development Bank's Complaint Mechanism. She is at present an independent senior advisor to the Complaints Mechanism of the European Investment Bank and a member of the panel of the joint Netherlands Development Finance Company (FMO) and German Investment and Development Corporation (DEG) Complaint Mechanism and is the OECD National Contact Point for The Netherlands. Dr van Putten has authored a number of publications on the accountability of IFIs.



Ms Andrea Saldarriaga is co-Lead of the Investment & Human Rights Project at the London School of Economics. She is an international lawyer whose practice has focused on arbitration, international investment law, business and human rights and sustainable development. She has advised states and investors on her areas of expertise, has participated as counsel on state-investor arbitrations and has acted as arbitrator in commercial cases. Andrea has also been involved in human rights cases before domestic courts and in a range of collaborative initiatives with the Open Society Institute, the private sector, and UNCTAD on human rights and sustainable development. Andrea was among the experts that advised the UN Secretary-General's Special Representative on Business and Human Rights John Ruggie on investment issues and the "Principles for responsible contracts", presented to the Human Rights Council in June 2011. She teaches business and human rights at ESSEC Business School in Paris and ESCP Business School Europe. Andrea is a fellow of the Columbia Center on Sustainable Investment, a member of the International Investment Agreements expert network of UNCTAD, co-president to the investment committee of the Latin American Arbitration Association and communication officer of the IBA's CSR Committee.



Ms Halina Ward is a lawyer with over twenty years of applied policy research, partnership-building, and advisory experience in the fields of sustainable development, responsible business, public participation, and governance of foreign direct investment. A trained mediator and facilitator, Ms Ward has worked on challenging projects in several of EBRD's member countries in Central and Eastern/South Eastern Europe and in countries of the Former Soviet Union. She has held senior roles with a variety of non-governmental organisations (including the Royal Institute of International Affairs and the International Institute for Environment and Development) as well as work in consultancies and start-ups, and currently works as an independent analyst and advisor.



Ms Susan T. Wildau, MA has worked in the field of complex, multi-party dispute resolution for over 30 years and is an internationally known mediator/facilitator, grievance mechanism developer, and trainer. She has provided conflict-management assistance to address a range of development, public policy, and environmental issues, working in more than 30 countries. Her projects focus on initiatives to prevent and address high stakes, natural resource conflicts that emerge when the interests of development, the natural environment, and societies collide. Her work with communities and companies aims to improve social and environmental performance, reduce risk, promote positive development impacts, and strengthen communities.